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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO.       |
|---|-------------|----------------------|------------------------------|------------------------|
| 10/670,569  | 09/26/2003  | Ryo Agehama          | 117349                       | 2335                   |
| 25944   | 7590        | 09/10/2007           |                              |                        |
| OLIFF & BERRIDGE, PLC<br>P.O. BOX 19928<br>ALEXANDRIA, VA 22320 |             |                      | EXAMINER<br>SINGH, SATWANT K |                        |
|   |             |                      | ART UNIT<br>2625             | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>09/10/2007      | DELIVERY MODE<br>PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/670,569

Applicant(s)

AGEHAMA ET AL.

Examiner

Satwant K. Singh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN  
PRIMARY EXAMINER

*Translour*

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 9/26/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 7-11, 15-22, 26, and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Otsuki et al. (US 6,267,519).

3. Regarding Claim 1, Otsuki et al discloses a print control apparatus comprising: a parameter acceptance unit for accepting a parameter used for trial print for each mode of the trial print (Fig. 22, printing mode) (col. 13, lines 7-21); and a trial print instruction unit for instructing a print unit to execute the trial print in each mode in accordance with the accepted parameter (Fig. 23, S31) (test pattern is printed) (col. 16, lines 15-25).

4. Regarding Claim 4, Otsuki et al discloses a print control method comprising: accepting a parameter used for trial print for each mode of the trial print (Fig. 22, printing mode) (col. 13, lines 7-21); and instructing the trial print to be executed in each mode in accordance with the accepted parameter (test pattern is printed) (col. 16, lines 15-25).

5. Regarding Claim 7, Otsuki et al discloses an image processing system comprising: a processing requesting device for requesting an image processing (computer 88); and a processing execution device for executing the requested image processing (printer 20), wherein: the processing requesting device includes: a

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registration requesting unit for requesting the processing execution device to register the processing requesting device for a trial processing for trying the image processing of the processing execution device (positional deviation during bi-directional printing adjusted using the head ID) (col. 10, lines 30-31); and a processing requesting unit for requesting the processing execution device to perform the trial processing (printer 20 is instructed to print out a test pattern) (col. 10, lines 34-36); and the processing execution device includes: a registration unit for executing the requested registration (head ID); and a trial processing execution unit for executing the trial processing requested by the registered processing requesting device (test pattern printed) (col. 10, lines 32-57).

6. Regarding Claim 8, Otsuki et al discloses an image processing system, wherein: the trial processing is set to have the same processing range as that of the image processing (relative correction values,  $\Delta=0$ ) (col. 11, lines 4-23); the processing execution device further includes a trial processing range setting unit for setting the processing range of the trial processing (positional deviation correction section) (col. 11, lines 23-59); and the processing requesting unit of the processing requesting device requests the processing execution device to perform the trial processing included in the set processing range (bidirectional printing) (col. 11, lines 4-22).

7. Regarding Claim 9, Otsuki et al discloses an image processing system, wherein: the trial processing is set to have a different processing range from that of the image processing (relative correction values,  $\Delta \neq 0$ ) (col. 11, lines 4-23); the processing execution device further includes a trial processing range setting unit for setting the processing range of the trial processing (positional deviation correction section) (col. 11,

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lines 23-59); and the processing requesting unit of the processing requesting device requests the processing execution device to perform the trial processing included in the set processing range (bidirectional printing) (col. 11, lines 4-22).

8. Regarding Claim 10, Otsuki et al discloses an image processing system, wherein the processing requesting device further includes a display unit for displaying a message indicating that the requested trial processing is beyond the processing range (printer driver input interface screen) (col. 10, lines 66-67).

9. Regarding Claim 11, Otsuki et al discloses an image processing system, wherein the trial processing execution unit of the processing execution device executes the requested trial processing within the set processing range (bidirectional printing) (col. 11, lines 4-22).

10. Regarding Claim 15, Otsuki et al discloses an image processing system, wherein: first points are set to the trial processing (test pattern) (col. 10, lines 32-38); second points are set to the registered processing requesting device (deviation adjustment numbers) (col. 10, lines 45-57); the processing execution device further includes a subtraction unit for subtracting the first points set to the executed trial processing from the second points set to the registered processing requesting device every time the requested trial processing is executed (relative correction value  $\Delta$ ) (col. 11, lines 4-22); and the processing execution unit executes the trial processing requested by the processing requesting device corresponding to the second point during the second points are left (printing carried out while using the relative correction values) (col. 11, lines 4-22).

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11. Regarding Claim 16, Otsuki et al discloses a processing requesting device (computer 88) in an image processing system including the processing requesting device for requesting an image processing and a processing execution device (printer 20) for executing the requested image processing (printer 20 is instructed to print out a test pattern) (col. 10, lines 34-36), the processing requesting device comprising: a registration requesting unit for requesting the processing execution device to register the processing requesting device for a trial processing for trying the image processing of the processing execution device (positional deviation during bi-directional printing adjusted using the head ID) (col. 10, lines 30-31); and a processing requesting unit for requesting the processing execution device to perform the trial processing (printer 20 is instructed to print out a test pattern) (col. 10, lines 34-36).

12. Regarding Claim 17, Otsuki et al disclose a processing requesting device, wherein: the trial processing is set to have the same processing range as that of the image processing (relative correction values,  $\Delta=0$ ) (col. 11, lines 4-23); and the processing requesting unit of the processing requesting device requests the processing execution device to perform the trial processing included in the set processing range (bidirectional printing) (col. 11, lines 4-22).

13. Regarding Claim 18, Otsuki et al disclose a processing requesting device, wherein: the trial processing is set to have a different processing range from that of the image processing (relative correction values,  $\Delta \neq 0$ ) (col. 11, lines 4-23); and the processing requesting unit of the processing requesting device requests the processing

execution device to perform the trial processing included in the set processing range (bidirectional printing) (col. 11, lines 4-22).

14. Regarding Claim 19, Otsuki et al disclose a processing requesting device, further comprising: a display unit for displaying a message indicating that the requested trial processing is beyond the processing range (printer driver input interface screen) (col. 10, lines 66-67).

15. Regarding claim 20, Otsuki et al discloses a processing execution device in an image processing system including a processing requesting unit for requesting an image processing (computer 88) and the processing execution device for executing the requested image processing (printer 20), the processing execution device comprising: a registration unit for registering the processing requesting device for a trial processing (head ID); and a trial processing execution unit for executing the trial processing requested by the registered processing requesting device (printer 20 is instructed to print out a test pattern) (col. 10, lines 34-36).

16. Regarding Claim 21, Otsuki et al disclose a processing execution device, wherein: the trial processing is set to have the same processing range as that of the image processing (relative correction values,  $\Delta=0$ ) (col. 11, lines 4-23); and the trial processing execution unit executes the requested trial processing within the set processing range (bidirectional printing) (col. 11, lines 4-22).

17. Regarding Claim 22, Otsuki et al disclose a processing execution device, wherein: the trial processing is set to have a different processing range from that of the image processing (relative correction values,  $\Delta \neq 0$ ) (col. 11, lines 4-23); and the trial

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processing execution unit executes the requested trial processing within the set processing range (bidirectional printing) (col. 11, lines 4-22).

18. Regarding Claim 26, Otsuki et al disclose a processing execution device, further comprising: a subtraction unit, wherein: first points are set to the trial processing (test pattern) (col. 10, lines 32-38) second points are set to the registered processing requesting device (deviation adjustment numbers) (col. 10, lines 45-57) the subtraction unit subtracts the first points set to the executed trial processing from the second points set to the registered processing requesting device every time the requested trial processing is executed (relative correction value  $\Delta$ ) (col. 11, lines 4-22) and the trial processing execution unit executes the trial processing requested by the processing requesting device corresponding to the second points during the second points are left (printing carried out while using the relative correction values) (col. 11, lines 4-22).

19. Regarding Claim 27, Otsuki et al discloses an image processing method comprising: requesting to register a first device for a trial processing for trying an image processing (positional deviation during bi-directional printing adjusted using the head ID) (col. 10, lines 30-31); requesting to execute the trial processing (printer 20 is instructed to print out a test pattern) (col. 10, lines 34-36); register the requested first device (head ID; and executing the requested trial processing (test pattern printed) (col. 10, lines 32-57).

***Claim Rejections - 35 USC § 103***

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:



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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claims 2, 3, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otsuki et al. in view of Usui (US 6,629,753).

22. Regarding Claim 2, Otsuki et al teaches a print control apparatus, wherein: the parameter acceptance unit accepts a trial print parameter for a color print mode (Fig. 22, color printing) and a trial print parameter for a monochrome print mode (Fig. 22, monochrome printing); the trial print instruction unit instructs the print unit to execute trial print in the color print mode and trial print in the monochrome print mode in accordance with the accepted trial print parameter for the color print mode and the accepted trial print parameter for the monochrome print mode (Fig. 22, print) (col. 13, lines 7-21).

Otsuki et al fails to teach a print control apparatus, further comprising: an accounting unit, wherein: the accounting unit performs an accounting processing on the basis of the trial print parameter for the color print mode when the trial print is executed in the color print mode; and the accounting unit performs the accounting processing on the basis of the trial print parameter for the monochrome print mode when the trial print is executed in the monochrome print mode.

Usui teaches a print control apparatus, further comprising: an accounting unit (printing fee calculation unit included management unit 10 and may be included in each station 20) (col. 10, lines 8-10), wherein: the accounting unit performs an accounting processing on the basis of the trial print parameter for the color print mode when the

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trial print is executed (test printing of printing data) in the color print mode (prior to printing of the printing data, management unit calculated estimated printing fee) (col. 12, lines 19-30); and the accounting unit performs the accounting processing on the basis of the trial print parameter for the monochrome print mode when the trial print is executed (test printing of printing data) in the monochrome print mode (prior to printing of the printing data, management unit calculated estimated printing fee) (col. 12, lines 19-30).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Otsuki with the teaching of Usui to calculate a printing fee based on monochrome or color printing.

23. Regarding Claim 3, Otsuki et al teaches an accounting apparatus comprising: a parameter retention unit for retaining a trial print parameter for a color print mode (Fig. 22, color printing) and a trial print parameter for a monochrome print mode (Fig. 22, monochrome printing) (col. 13, lines 7-21).

Otsuki et al fails to teach an accounting apparatus comprising: an accounting unit, wherein: the accounting unit performs an accounting processing on the basis of the trial print parameter for the color print mode when a trial print is executed in the color print mode; and the accounting unit performs the accounting processing on the basis of the trial print parameter for the monochrome print mode when the trial print is executed in the monochrome print mode.

Usui teaches an accounting apparatus comprising: an accounting unit, wherein: the accounting unit performs an accounting processing on the basis of the trial print

parameter for the color print mode when a trial print is executed (test printing of printing data) in the color print mode (prior to printing of the printing data, management unit calculated estimated printing fee) (col. 12, lines 19-30); and the accounting unit performs the accounting processing on the basis of the trial print parameter for the monochrome print mode when the trial print is executed (test printing of printing data) in the monochrome print mode (prior to printing of the printing data, management unit calculated estimated printing fee) (col. 12, lines 19-30).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Otsuki with the teaching of Usui to calculate a printing fee based on monochrome or color printing.

24. Regarding Claim 5, Otsuki et al teaches a print control method, further comprising: executing an accounting processing, wherein: in the accepting of the parameter, a trial print parameter for a color print mode and a trial print parameter for a monochrome print mode are accepted (Fig. 22, color printing and monochrome printing); in the instructing of the trial print, trial print in the color print mode and trial print in the monochrome print mode are executed in accordance with the accepted trial print parameter for the color print mode and the accepted trial print parameter for the monochrome print mode (Fig. 22, print) (col. 13, lines 7-21).

Otsuki et al fail to teach a print control method, wherein: the accounting processing is executed on the basis of the trial print parameter for the color print mode when the trial print is executed in the color print mode; and the accounting processing is

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executed on the basis of the trial print parameter for the monochrome print mode when the trial print is executed in the monochrome print mode.

Usui teaches a print control method, wherein: the accounting processing is executed on the basis of the trial print parameter for the color print mode (test printing of printing data) when the trial print is executed in the color print mode; and the accounting processing is executed on the basis of the trial print parameter for the monochrome print mode (test printing of printing data) when the trial print is executed in the monochrome print mode (prior to printing of the printing data, management unit calculated estimated printing fee) (col. 12, lines 19-30).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Otsuki with the teaching of Usui to calculate a printing fee based on monochrome or color printing.

25. Regarding Claim 6, Otsuki et al teaches an accounting method comprising: retaining a trial print parameter for a color print mode and a trial print parameter for a monochrome print mode (Fig. 22, color printing and monochrome printing) (col. 13, lines 7-21).

Otsuki et al fails to teach an accounting method comprising: executing an accounting processing on the basis of the trial print parameter for the color print mode when a trial print is executed in the color print mode; executing the accounting processing on the basis of the trial print parameter for the monochrome print mode when the trial print is executed in the monochrome print mode.

Usui teaches an accounting method comprising: executing an accounting processing on the basis of the trial print parameter for the color print mode when a trial print is executed (test printing of printing data) in the color print mode (prior to printing of the printing data, management unit calculated estimated printing fee) (col. 12, lines 19-30); executing the accounting processing on the basis of the trial print parameter for the monochrome print mode when the trial print is executed (test printing of printing data) in the monochrome print mode (prior to printing of the printing data, management unit calculated estimated printing fee) (col. 12, lines 19-30).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Otsuki with the teaching of Usui to calculate a printing fee based on monochrome or color printing.

26. Claims 12-14 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otsuki et al. in view of Thormodsen et al. (US 2004/0075866).

27. Regarding Claim 12, Otsuki et al fails to teach an image processing system, wherein: an additional image is set in the trial processing; and the trial processing execution unit of the processing execution device adds the set additional image to image data provided as a result of the trial processing.

Thormodsen et al teaches an image processing system, wherein: an additional image is set in the trial processing (insertion of image); and the trial processing execution unit of the processing execution device adds the set additional image to image data provided as a result of the trial processing (printing the test image) (pages 3 and 4, paragraph [0034]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Otsuki with the teaching of Thormodsen to print test image with the additional image prior determine whether the image fits into the template.

28. Regarding Claim 13, Otsuki et al fails to teach an image processing system, further comprising: a position designation unit for accepting designation of a position of the additional image, wherein: the trial processing execution unit adds the set additional image to the image data provided as the result of the trial processing at the designated position.

Thormodsen et al teaches an image processing system, further comprising: a position designation unit for accepting designation of a position of the additional image (user arranges images in the template) (page 3, paragraph [0028]), wherein: the trial processing execution unit adds the set additional image to the image data provided as the result of the trial processing at the designated position (printing the test image) (pages 3 and 4, paragraph [0034]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Otsuki with the teaching of Thormodsen to print test image with the additional image prior determine whether the image fits into the template.

29. Regarding Claim 14, Otsuki et al fails to teach an image processing system, further comprising: a search unit for searching for an optimum position of the additional image, wherein: the trial processing execution unit adds the set additional image to the

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image data provided as the result of the trial processing at the position found as a result of the searching.

Thormodsen et al teaches an image processing system, further comprising: a search unit for searching for an optimum position of the additional image (manipulation of images within the template) (page 3, paragraph [0028]), wherein: the trial processing execution unit adds the set additional image to the image data provided as the result of the trial processing at the position found as a result of the searching (printing the test image) (pages 3 and 4, paragraph [0034]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Otsuki with the teaching of Thormodsen to print test image with the additional image prior determine whether the image fits into the template.

30. Regarding Claim 23, Otsuki fails to teach a processing execution device, wherein: an additional image is set in the trial processing; and the trial processing execution unit adds the set additional image to image data provided as a result of the trial processing.

Thormodsen et al teaches a processing execution device, wherein: an additional image is set in the trial processing (insertion of image); and the trial processing execution unit adds the set additional image to image data provided as a result of the trial processing (printing the test image) (pages 3 and 4, paragraph [0034]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Otsuki with the teaching of

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Thormodsen to print test image with the additional image prior determine whether the image fits into the template.

31. Regarding Claim 24 Otsuki fails to teach a processing execution device, further comprising: a position designation unit for accepting designation of a position of the additional image, wherein: the trial processing execution unit adds the set additional image to the image data provided as the result of the trial processing at the designated position.

Thormodsen et al teaches a processing execution device, further comprising: a position designation unit for accepting designation of a position of the additional image (user arranges images in the template) (page 3, paragraph [0028]), wherein: the trial processing execution unit adds the set additional image to the image data provided as the result of the trial processing at the designated position (printing the test image) (pages 3 and 4, paragraph [0034]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Otsuki with the teaching of Thormodsen to print test image with the additional image prior determine whether the image fits into the template.

32. Regarding Claim 25, Otsuki fails to teach a processing execution device, further comprising: a search unit for searching for an optimum position of the additional image, wherein: the trial processing execution unit adds the set added image to image data provided as a result of the trial processing at a position found as the result of the searching.



Thormodsen et al teaches a processing execution device, further comprising: a search unit for searching for an optimum position of the additional image (manipulation of images within the template) (page 3, paragraph [0028]), wherein: the trial processing execution unit adds the set added image to image data provided as a result of the trial processing at a position found as the result of the searching (printing the test image) (pages 3 and 4, paragraph [0034]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Otsuki with the teaching of Thormodsen to print test image with the additional image prior determine whether the image fits into the template.

### ***Conclusion***

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

34. Muramoto (US 7,006,691) discloses a profile correction apparatus for correcting a color profile defining a coordinate conversion among a plurality of color spaces.


### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
sks

Satwant K. Singh  
Examiner  
Art Unit 2625

DOUGLAS Q. TRAN  
PRIMARY EXAMINER  
